

REMARKS

Claims 1-28 and 31-34 are pending in the present application, with all claims being rejected. In the Office Action, the Examiner rejected the claims as follows. Claims 1, 6, and 32 were rejected under 35 U.S.C. §103(a) as being unpatentable over European Patent Application No. EP 1 243 941 A1 (Almassy) in view of U.S. Patent Publication No. 2004/0072576 A1 (Nuutinen). Claims 2, and 7-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen and further in view of U.S. Patent No. 5,781,150 (Norris). Claims 3-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen and Norris and further in view of U.S. Patent No. 6,850,188 (Lee). Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen, U.S. Patent Publication No. 2003/0008671 A1 (Lundgren), and U.S. Patent Publication No. 2003/0119529 (Hirokawa). Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen, Lundgren, and Hirokawa, and further in view of Norris. Claims 13-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen, Lundgren, Hirokawa, and Norris, and further in view of Lee. Claims 16 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen and Lundgren. Claim 17 was rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen, Lundgren, and further in view of Norris. Claims 18-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen, Lundgren, and Norris, and further in

view of Lee. Claims 21-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen and further in view of U.S. Patent No. 6,838,998 B1 (Brown) and U.S. Patent Publication No. 2002/0133290 A1 (Nozaki). Claims 26-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen, Brown, and Nozaki and further in view of U.S. Patent No. 6,456,854 B1 (Chern). Claim 31 was rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen and further in view of Japanese Patent No. JP 2003-009203 (Yoshio). Claim 33 was rejected under 35 U.S.C. §103(a) as being unpatentable over Almassy in view of Nuutinen and Lundgren and further in view of Yoshio.

Claims 1 and 6 of the present application are directed to a system and a method in which upon receiving a position tracking signal from a first mobile communication terminal, a mobile communication server transmits AASA (Acquisition Assistance Sensitive Assistance) received from a GPS to a second mobile communication terminal, which the first mobile communication terminal is seeking, as well as to a first mobile communication terminal; the respective terminals then calculate their individual positions; and the second terminal transmits the second individual position information to the first terminal, such that the first terminal can output correlative position information between the first terminal and the second terminal.

In contrast, Nuutinen merely discloses a mobile communication terminal receives

position information directly from a GPS system and only calculates individual position information. However, the mobile communication terminals as recited in Claims 1 and 6 of the present invention, enables a mobile communication server which received a position tracking signal to transmit AASA received from a GPS system to the second terminal which the first terminal is seeking, as well as to the first terminal, thereby transferring position information of the second terminal to the first terminal.

In other words, the present application, as recited by Claims 1 and 6, rather than being drawn to a terminal which calculates its position information as suggested by Nuutinen or to a terminal which calculates a distance between its position and another terminal using its position information and the position information received from the other terminal, is drawn system and a method in which a server transmits AASA to a desired second terminal after receiving a position tracking signal, and to the first terminal which transmits its position information to the first terminal which transmitted the position tracking signal.

Almassay teaches a system and method for the exchange of location information in which a mobile station can determine its proximity to a second mobile station or a landline telephone.

Nuutinen teaches a method for locating Mobile Stations (MSs) in a network such

as a cellular communication network and discloses a network-assisted mobile-based GPS location system and method allowing for the detection of a MS's (e.g., see, paragraphs 1 and 2; and FIG. 1).

Regarding the rejection of independent Claim 1, the Examiner states that that the combination of Almassy and Nuutinen disclose each and every limitation of Claim 1.

More specifically, the Examiner asserts that paragraph 8, lines 1-3 and paragraph 14, Lines 4-6 and 9-11 of Almassy teach a first mobile communication terminal for calculating and transmitting first individual position information at intervals of a predetermined time. After reviewing Almassy, it is respectfully submitted that the Examiner is incorrect. The cited passages of Almassay disclose a first mobile (12) receives data to determine its own position from a GPS receiver; however, the cited passages and text do not teach or suggest a first mobile communication terminal for calculating and transmitting first individual position information at intervals of a predetermined time, as recited in Claim 1. Moreover, this deficiency is not cured by Nuutinen.

In addition, the first individual position information, as recited in Claim 1 is calculated on the basis of Acquisition Assistance Sensitive Assistance (AASA) information which the Examiner states is only taught by Nuutinen. More specifically, the

Examiner equates the AASA, as recited by Claims of the present invention, with the GPS assistance data, as disclosed by Nuutinen (e.g., see Office Action, Page 4). After reviewing the cited references, it is respectfully submitted that the Examiner is incorrect. With reference to step 12 of FIG. 2, Nuutinen discloses the GPS assistance data is transmitted from an SMLC (Serving Mobile Location Centre) to an MS (mobile station) after the SMLC receives GPS raw data as opposed to being transmitted by a mobile communication server upon receiving a position tracking signal, as recited in Claim 1. Moreover, Nuutinen is silent upon the recitation of the AASA information including a received signal strength indicator of radio waves transmitted from a GPS (Global Positioning System) satellite, as recited by Claim 1. Additionally, Almassay, which the Examiner acknowledges does not teach or suggest AASA information, does not cure this deficiency.

Accordingly, as neither Almassy nor Nuutinen nor the combination thereof disclose or suggest each and every limitation of Claim 1, it is respectfully requested that the rejection of Claim 1 be withdrawn.

Regarding the rejection of independent Claim 6, the Examiner states that the combination of Almassy and Nuutinen disclose each and every limitation of Claim 6. After reviewing the cited references, it is respectfully submitted that the Examiner is incorrect. Claim 6 includes similar recitations as those contained in Claim 1.

Additionally, Claim 6 includes the recitation of determining whether said second individual position information has been received by said first mobile communication terminal, a distinguishing element of the present invention, which has not been rejected by the Examiner in the Office Action, and is neither taught nor suggested by either of Almassy or Nuutinen.

Accordingly, as neither Almassy nor Nuutinen nor the combination thereof disclose or suggest each and every limitation of Claim 6, it is respectfully requested that the rejection of Claim 6 be withdrawn.

Regarding the rejection of independent Claim 11, this Claim includes similar recitations as those contained in Claim 1. Accordingly, as Hirokawa, which discloses a portable terminal device with built-in GPS, does not cure the deficiencies of Almassy and Nuutinen, it is respectfully submitted that Claim 11 is allowable for at least the same reasons as set forth above with respect to the rejection of Claim 1. Accordingly, withdrawal of the rejection of Claim 11 is respectfully requested.

Regarding the rejection of independent Claim 16, this Claim includes similar recitations as those contained in Claim 1. Additionally, Claim 16 includes the recitation of said AASA information transmitted to said first mobile communication terminal and said second communication terminal by said mobile communication server in response to

said position tracking signal received thereby. The Examiner acknowledges that Almassy does not teach AASA information (e.g., see, Office Action, Page 16) and uses Nuutinen to cure this deficiency. However, Nuutinen merely teaches sending Assistance GPS Data from the SMLC to mobile station (11). However, Nuutinen does not teach or suggest the recitation of said AASA information transmitted to said first mobile communication terminal and said second communication terminal by said mobile communication server in response to said position tracking signal received thereby, as recited in Claim 16. Moreover, as Lundgren, which teaches using device orientation and position to identify certain information that is requested by a wireless device, fails to cure the deficiencies of Almassy and Nuutinen, it is respectfully submitted that Claim 16 is patentable for at least the same reasons as set forth above with respect to the rejection of Claim 1. Accordingly, withdrawal of the rejection of Claim 16 is respectfully requested.

Regarding the rejection of independent Claims 21 and 25, these Claims include similar recitations as contained in Claim 1. Accordingly, as Brown, which teaches an Internet-based personal tracking system for tracking the position of a portable location unit by a remote user, and Nozaki, which teaches map information providing system and method a direction and distance to an institution from a present position, either alone or in combination fail to cure the deficiencies of Almassy and Nuutinen, it is respectfully submitted that Claims 21 and 25 are patentable for at least the same reasons as set forth above with respect to the rejection of Claim 1. Accordingly, withdrawal of the rejection

of Claims 21 and 25 is respectfully requested.

Independent Claims 1, 6, 11, 16, 21, and 25 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-5, 7-10, 12-15, 17-20, 22-24, 26-28 and 31-34, these are likewise believed to be allowable by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-5, 7-10, 12-15, 17-20, 22-24, 26-28 and 31-34 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-28 and 31-34, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over a horizontal line.

Paul J. Farrell
Reg. No. 33,494
Attorney for Applicants

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516
PJF/VAG:ml